

The Speaker announced the following message from His Excellency the Governor :

EXECUTIVE OFFICE, STATE OF TEXAS, )  
AUSTIN, April 19, 1873. }

SIR: I have to return to the House of Representatives, where it originated, the act entitled, "An act to repeal an act entitled an act to establish a State Police, and provide for the regulation and government of the same, approved July 1, 1870;" also to repeal "An act entitled an act to amend an act entitled an act to establish a State Police, and provide for the regulation and government of the same, approved May 2, 1871."

In the annual message which I had the honor to send to the Legislature at the commencement of your session, I stated, in speaking of the police, that "I decidedly do not think their services can yet be dispensed with." My opinion was based upon information in regard to the condition of the State, which was probably not within reach of the members. Having understood, unofficially, early in the session, that a majority of the houses differed in opinion from me on this subject, and that a bill for the unqualified repeal of the police laws was pending, I directed the Adjutant General to call upon the sheriffs of the counties for a statement of the number of homicides, and attempts at homicide, committed within their respective counties since the first day of the present year. So far as replies have come in, the information received from the sheriffs is transmitted in the accompanying report from the Adjutant General, dated the eighteenth instant.

It will be seen that official statements from twenty nine counties, and unofficial information from twenty-five others, show, since the first of the year, a total of seventy-eight homicides, and seventy-two attempts to kill in those fifty-four counties. The information from counties unofficially reported is probably short of the full number of crimes of that nature. Other classes of offenses are not noted.

If the proportion of cases of homicide or attempts to kill during those three months in the rest of the one hundred and thirty-five inhabited counties of the State averaged the same as in the fifty-four counties mentioned—and it will very likely rather be over than un-

der—then there were killed within the State, during the three months you have been in session, one hundred and ninety-five persons, and if the same proportion is continued throughout the year, seven hundred and eighty homicides will have been committed within the year. Whether this estimate is correct or not, we have the extraordinary fact presented that seventy-eight persons have met a violent death at the hands of their fellows, within a few more than a third of the counties of the State, and during an average of only three months. Owing to the repressive measures adopted in 1870 and 1871, including these police laws, the condition, as bad as it yet is, has greatly improved, as will be seen by a comparison with the criminal statistics of the State collected in 1869 by the then military authorities. But we still have a great deal to do toward civilizing our State, and so far from abolishing any of the means of bringing the law breakers to justice, it seems more advisable to strengthen and amplify that branch of the service.

To illustrate the lawless condition of our State, unfortunately still prevalent, and the extraordinary insecurity of life, I ask you to contrast the preceding facts with the returns of crime in the State of New York. For many reasons, which will be obvious to you, cities are liable to have a larger criminal population than rural districts. Experience shows, for instance, that the city of New York, with near a million of souls, has annually many more homicides than occur among the same number of people in the rural districts of New York. For the year 1860, the last year for which I have statistics before me, the total homicides, murderous or otherwise, within that State, were only thirty-seven, yet New York had then 3,880,735 people, of whom upwards of a million and a half inhabited cities. Texas, according to the census of 1870, had then only 818,579. In addition to the homicides committed since the first of January, the report of the Adjutant General shows that delegations of citizens, or the county officers of fourteen (14) counties have called upon the State authorities for assistance to overcome lawless combinations too strong for the local authorities. The names of these authorities are given.

In two counties since that date the public records have been taken by force and destroyed. In two other counties the court houses as well as the records have been

destroyed, and in a fifth, what is called the cattle record has been made away with. The names of these counties are also given.

This is a bad record for us, and one which we might well try to hide from the people of the outside world, whom we are inviting to come to our State; but it is neither manly or statesmanlike to shrink ourselves from its contemplation. It is, on the contrary, to the best interest of our State that we should fully understand and be ready to face and suppress this evil.

I suppose that all good citizens deplore the evil, and would wish to remedy it, and only differ as to the means. Some have advised giving the sheriffs more ample powers, others that large rewards should be offered for all offenders indiscriminately. A variety of other plans have been suggested. But all of these devices will cost as much, if not more, than the present system, and cannot be effective, because they all fail in the essential of having a paid and efficient body of men, under one head, ready at a moment to move in any direction either to assist the local authorities or to follow and arrest fugitives from justice.

The State police for many months has been less efficient than it otherwise might have been, had they received the compensation nominally allowed them by the State, but the result of their labors (crippled as they were) for the two and a half years ending on the first of January last, I partly showed the Legislature in my annual message. They had arrested, during that time, five hundred and eighty-one persons charged with murder, besides thousands of other offenders. But their services to the State have not been limited to those arrests. Many hundreds of murderers, horse and cattle thieves and other offenders, have fled the State to avoid arrest. Their services in this way I cannot estimate.

I am aware that in three or four instances the police are charged with having criminally taken the lives of citizens, and that these instances furnish an unfailing supply of texts for arguments against the system. Whether the police were to blame in all or any of these instances, and what the character for lawlessness might have been of the individuals whose lives were taken by the police, has never, I believe, in any case, been ascertained by the proper tribunals, so I will not discuss the question of innocence

or guilt. But letting it be granted that in these acts some members of the police were criminal, is their criminality a reasonable argument to use against the whole system? The same objection would apply to the sheriffs and their deputies, to city police or constables. Many instances of crime on the part of those officers have occurred, but it would very justly be considered unfair to argue therefrom that such officers ought to be dispensed with.

But it is noticeable that those who never fail to use the records of these alleged crimes against the police, altogether forget to say a kind word for the many gallant men of the force who have died or risked life in the enforcement of the laws. Fourteen have thus been killed outright, and many more wounded by the lawless.

I must, then, for the reason given, most earnestly urge a reconsideration of this act of repeal. The mere impression abroad that it would be passed has, in my belief, already emboldened law breakers and bad men. Coincident with the measures pending for its repeal, there has been an apparent swelling of the tide of lawlessness.

I trust that the State authorities may not be left without some substantial power to enforce the laws. If the police acts are defective, and if bad men have through such defect been appointed on the force; or if, in other respects they might be advantageously modified, let them be amended. I will be happy to co-operate with the Legislature in the adoption of such amendments, or in any other measure looking to the increased efficiency of the force.

Very respectfully,

EDMUND J. DAVIS, Governor.

Hon M. D. K. TAYLOR, Speaker of the House of Representatives, Austin, Texas.